

SUMMARY

SELECTED ASPECTS OF THE ADVANCEMENT OF THE GOALS AND REQUIREMENTS OF THE CONVENTION ON THE PROHIBITION OF CHEMICAL WEAPONS

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction („Convention“) is a means of comprehensive ban of chemical weapons covering the whole category of these weapons of mass destruction. There are many factors having impact on effective enforcement of the goals and requirements of the Convention, namely its implementation in States Parties (particularly legislative), international cooperation and assistance, overcoming political stumbling blocks related to implementing the Convention in practice and other, often unpredictable factors resulting from law enforcement in international context.

The aim of this thesis is, apart from a brief introduction into the history of the ban on chemical weapons, related activities within the context of international law and the existing status of the ban, to point out some problematic issues in this field which have the potential of hampering the goal of the Convention (due to the limited extent hereof without striving for complete coverage of the topic).

The introductory chapter provides a basic overview of the history of international cooperation related to the ban on chemical weapons, considering World War II as an important turning point. The pre-war era and the following period to the present day are dealt with in separate subchapters. The most important legal acts are recalled here together with crucial historical events.

The following chapter puts the ban on chemical weapons into the light of the broader context of international law, or, as the case may be, of disarmament law.

The author hereof considers it useful, taking into account the complexity and extensiveness of the Convention, to provide a basic outline of its content – the forth chapter therefore concisely summarises the Convention, including annexes thereof.

The fifth chapter identifies problematic issues of the Convention from the perspective of its functioning as a tool for preventing the use of chemical weapons and verification of scheduled chemicals handling. For instance, potential impediments of sometimes insufficiently defined terms or absence of relevant definitions resulting in inconsistency of

States Parties' legislation are described here. This chapter also touches the enforcement of principles stipulated by the Convention and jurisdiction issues.

The sixth chapter depicts some aspects of Confidentiality Annex provisions, namely from the perspective of a potential breach of confidentiality and its consequences, related procedures and powers of the actors involved.

The seventh chapter deals with legal aspects of the Conference of the States Parties decisions, which de facto amend the Convention.

The author is professionally involved in the subject hereof due to his participation in the international network of lawyers organized by the Technical secretariat of the OPCW as a support team with a view to assisting the States Parties that have not yet fully implemented the Convention.